

**UNITED STATES BANKRUPTCY COURT
MIDDLE DISTRICT OF NORTH CAROLINA
DURHAM DIVISION**

In re:

**Matthew Thomas Davis and Kristie Dalton
Davis**

Case No. 09-81362

a/k/a Kristie Dalton Stanley

S.S. Nos.: xxx-xx-6994 and xxx-xx-4496

Mailing Address: 2774 Lucy Garrett Road, Timberlake, NC 27583-

Debtors.

NOTICE TO CREDITORS AND PROPOSED PLAN

The Debtors have filed for relief under Chapter 13 of the United States Bankruptcy Code on August 12, 2009.

The filing automatically stays collection and other actions against the Debtors, Debtors' property and certain co-debtors. If you attempt to collect a debt or take other action in violation of the bankruptcy stay, you may be penalized.

Official notice will be sent to creditors, which will provide the name and address of the Trustee, the date and time of the meeting of creditors, and the deadline for objecting to the plan. The official notice will include a proof of claim form.

A creditor must timely file a proof of claim with the Trustee in order to receive distributions under the plan. The Trustee will mail payments to the address provided on the proof of claim unless the creditor provides another address in writing for payments. If the claim is subsequently assigned or transferred, the Trustee will continue to remit payment to the original creditor until a formal notice of assignment or transfer is filed with the Court.

Attached is a copy of the Debtors' proposed Chapter 13 Plan consisting of 2 documents entitled: (1) Chapter 13 Plan and (2) Ch. 13 Plan - Debts Sheet (Middle). This is the same Plan that has already been filed with the Court.

Dated: August 25, 2009

LAW OFFICES OF JOHN T. ORCUTT, P.C.

/s John T. Orcutt

John T. Orcutt
N.C. State Bar No. 10212
Counsel for the Debtors
6616-203 Six Forks Rd.
Raleigh, N.C. 27615
Tel. No. (919) 847-9750

circular.wpt (rev. 5/17/09)

CH. 13 PLAN - DEBTS SHEET (MIDDLE DISTRICT - DESARDI VERSION)

Date: 7/17/09

Lastname-SS#: Davis-4496

RETAIN COLLATERAL & PAY DIRECT OUTSIDE PLAN

Creditor Name	Sch D #	Description of Collateral
Schewels		
Child Support		

SURRENDER COLLATERAL

Creditor Name	Description of Collateral

ARREARAGE CLAIMS

Creditor Name	Sch D #	Arrearage Amount	(See t)
Schewels			**
Child Support			**
			**
			**
			**
			**
			**

REJECTED EXECUTORY CONTRACTS/LEASES

Creditor Name	Description of Collateral

LTD - DOT ON PRINCIPAL RESIDENCE & OTHER LONG TERM DEBTS

Creditor Name	Sch D #	Monthly Contract Amount	Int. Rate	Adequate Protection	Minimum Equal Payment	Description of Collateral
			N/A	n/a		
			N/A	n/a		
			N/A	n/a		
			N/A	n/a		

STD - SECURED DEBTS @ FMV

Creditor Name	Sch D #	FMV	Int. Rate	Adequate Protection	Minimum Equal Payment	Description of Collateral
GMAC Mortgage	2	\$44,106	5.25	\$441	\$867.13	MH, Land & Escrow
			6.00			
			6.00			
			6.00			

STD - SECURED DEBTS @ 100%

Creditor Name	Sch D #	Payoff Amount	Int. Rate	Adequate Protection	Minimum Equal Payment	Description of Collateral
Wells Fargo	4	\$13,335	5.25	\$41	\$262.17	06 Hyundai
Citifinancial	1	\$11,787	5.25	\$85	\$231.73	04 Dodge Ram
			6.00			
			6.00			
			6.00			

ATTORNEY FEE (Unpaid part)

Amount
Law Offices of John T. Orcutt, P.C.

SECURED TAXES

Secured Amt
IRS Tax Liens

Real Property Taxes on Retained Realty

Amount
IRS Taxes

UNSECURED PRIORITY DEBTS

Amount
State Taxes

Personal Property Taxes

Amount
Alimony or Child Support Arrearage

CO-SIGN PROTECT (Pay 100%)

Int. %	Payoff Amt

All Co-Sign Protect Debts (See*)

Amount
DMI= None(\$0)

GENERAL NON-PRIORITY UNSECURED

Amount
None(\$0)

Other Miscellaneous Provisions

Plan to allow for 3 "waivers".

Cannot Convert to Chapter 7

PROPOSED CHAPTER 13 PLAN PAYMENT

\$ **\$1,431** per month for **60** months, then

\$ **N/A** per month for **N/A** months.

Adequate Protection Payment Period: **4.96** months.

Sch D # = The number of the secured debt as listed on Schedule D.

Adequate Protection = Monthly 'Adequate Protection' payment amt.

f = May include up to 2 post-petition payments.

* Co-sign protect on all debts so designated on the filed schedules.

** = Greater of DMI x ACP or EAE

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Ch13Plan_MD_(New_DeSardi) (6/24/09) © John T. Orcutt

CERTIFICATE OF SERVICE

I, Charlene Free, the undersigned, certifies that a copy of the foregoing **NOTICE TO CREDITORS AND PROPOSED PLAN** was served by automatic electronic noticing upon the following Trustee:

Richard M. Hutson, II
Chapter 13 Trustee

and was also served by first class U.S. mail, postage prepaid, to the following parties at their respective addresses:

All the creditors set forth on the mailing matrix filing in this case.

/s Charlene Free

Charlene Free

North Carolina Department of Revenue
c/o NC Department of Justice
Post Office Box 629
Raleigh, NC 27602-0629

ChexSystems
Attn: Consumer Relations
7805 Hudson Road, Ste. 100
Woodbury, MN 55125

Charter Communications
c/o Credit Protection Associates
13355 Noel Road
Suite 2100
Dallas, TX 75240

Employment Security Commission
Attn: Benefit Payment Control
Post Office Box 26504
Raleigh, NC 27611-6504

American General Finance
Post Office Box 3251
Evansville, IN 47731-3251

Chase
Post Office Box 15298
Wilmington, DE 19850-5298

Credit Bureau
Post Office Box 26140
Greensboro, NC 27402

Applied Card Bank
Post Office Box 10210
Wilmington, DE 19850-0210

CitiFinancial Auto
P.O. Box 183036
Columbus, OH 43218-3036

NC Child Support
Centralized Collections
Post Office Box 900006
Raleigh, NC 27675-9006

Bank of America
401 Minnetonka Road
Hi Nella, NJ 08083

Credit Bureau of Greensboro**
Post Office Box 26140
Greensboro, NC 27402-0040

Internal Revenue Service**
Post Office Box 21126
Philadelphia, PA 19114-0326

Barclays Bank
125 South West Street
Wilmington, DE 19801

Danville Regional Medical Center
c/o URW Credit Union
539 Arnett Blvd
Danville, VA 24540

Equifax Information Systems LLC
P.O. Box 740241
Atlanta, GA 30374-0241

BB&T
500 North Madison Blvd.
Roxboro, NC 27573

Danville Womens Care
Post Office Box 260
Danville, VA 24543

Experian
P.O. Box 2002
Allen, TX 75013-2002

Capital One
Post Office Box 30281
Salt Lake City, UT 84130

First National Collection Bureau
610 Waltham Way
Sparks, NV 89434

Innovis Data Solutions
Attn: Consumer Assistance
P.O. Box 1534
Columbus, OH 43216-1534

Centra Health
Post Office Box 2496
Lynchburg, VA 24505-0496

First Premier Bank
601 South Minnesota Avenue
Sioux Falls, SD 57104

Trans Union Corporation
P.O. Box 2000
Crum Lynne, PA 19022-2000

Central Virginia Community Services
2215 Longhorne Road
Suite 104
Lynchburg, VA 24501

GMAC Mortgage
ATTN: Customer Service
Post Office Box 780
Waterloo, IA 50704-0780

HSBC
Post Office Box 97280
Portland, OR 97280

Piedmont Credit and Collection Services
Post Office Box 1596
Danville, VA 24543-1596

James H. Priest, DDS, LTD.
420 Hamilton Blvd.
South Boston, VA 24592

Piedmont Electric
c/o Credit Financial Services
100 West Morgan Street
Durham, NC 27701

Law Offices of John T. Orcutt
6616-203 Six Forks Road
Raleigh, NC 27615

Pinnacle Credit
7900 Highway 7 # 100
Minneapolis, MN 55426

LCA
Post Office Box 2240
Burlington, NC 27216-2240

Rickie R. Dalton
933 Will Jefferson Road
Henderson, NC 27536

Midland Credit Management
8875 Aero Drive
San Diego, CA 92123

RJM Acquisitions, LLC
575 Underhill Blvd.
Suite 224
Syosset, NY 11791-3416

North Carolina Department of Revenue
c/o Reginald S. Hinton
Post Office Box 25000
Raleigh, NC 27640-5000

Verizon Wireless
Post Office Box 660108
Dallas, TX 75266-0108

North Carolina Dept of Revenue**
Post Office Box 1168
Raleigh, NC 27602-1168

Wells Fargo Auto Finance
Post Office Box 29704
Phoenix, AZ 85038-9704

Person County Tax Collector
105 South Main Street
P.O. Box 1701
Roxboro, NC 27573

Zenith Acquisitions
220 John Glenn Drive
Suite 1
Buffalo, NY 14217

Person Memorial Hospital
615 Ridge Road
Roxboro, NC 27573